

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

Dennis M. Morris,

Case No. 8-22-70966-las

Debtor.

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**ORDER PURSUANT TO 11 U.S.C. § 362(d)(1) AND (d)(2) VACATING
THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

Upon the motion, dated July 6, 2022 (the “Motion”) [dkt. no. 12], of Rushmore Loan Management Services, LLC as servicer for U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust (the “Creditor”), for an order pursuant to section 362(d)(1) and (d)(2) of title 11 of the United States Code (the “Bankruptcy Code”), vacating the automatic stay imposed in the above-captioned case by section 362(a) of the Bankruptcy Code as to the Creditor’s interest in 1 Thomas Avenue, Bay Shore, NY 11706 (the “Property”) to allow the Creditor’s enforcement of its rights in, and remedies in and to, the Property; and due and proper notice of the Motion having been made on all necessary parties; and there being no opposition to the Motion; and Creditor having filed a Certificate of No Objection pursuant to the Court’s Procedures During National Emergency (COVID-19) [dkt. no. 15]; and upon all the proceedings had before the Court; and after due deliberation and sufficient cause appearing; it is hereby

ORDERED that the Motion is granted as provided herein; and it is further

ORDERED that the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is vacated under section 362(d)(1) and (d)(2) of the Bankruptcy Code as to the Creditor’s interest in the Property to allow the Creditor’s enforcement of its rights in, and remedies in and to, the Property; and it is further

ORDERED that the Creditor shall notify the chapter 7 trustee of any surplus monies realized by any sale of the Property within ten (10) days of such sale.

Dated: August 2, 2022
Central Islip, New York



Louis A. Scarella
Louis A. Scarella
United States Bankruptcy Judge